

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

LEISA BUSCHELL MONK

Plaintiff,

V.

CIVIL ACTION NO

CARDWORKS SERVICING, LLC

Defendant.

FEBRUARY 26, 2010

COMPLAINT

1. Plaintiff seeks relief pursuant to the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692; Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act. § 14-204 et seq. ("MCDCA"); and the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.
2. The Court's jurisdiction is conferred by 15 U.S.C.1692k and 28 U.S.C. 1331 and 1367.
3. Plaintiff is a natural person who resides in Baltimore, Maryland.
4. Plaintiff is a consumer within the FDCPA.
5. Defendant is a debt collector within the FDCPA and has a place of business located at 225 WEST STATION SQUARE DRIVE, PITTSBURGH, PA 15219.
6. Defendant is a collector within the MCDCA.
7. Defendant communicated with Plaintiff on or after one year before the date of this action, in connection with collection efforts with regard to Plaintiff's disputed personal debt.

8. Defendant communicated with Plaintiff numerous times in an attempted to collect a debt that the plaintiff disputes.
9. Plaintiff advised the Defendant that she disputed this debt.
10. Defendant advised the Plaintiff that she could not dispute her debt, in violation of §1692g (a) (3) and §1692e.
11. Defendant failed to provide the required notice pursuant to 1692e (11) in every oral communication the Defendant had with the Plaintiff.
12. Based upon information and belief, Defendant failed to report a known disputed debt to the Credit Reporting Agencies, despite being notified by the Plaintiff of her dispute in violation of §1692e (8).
13. Defendant has inadequate procedures in place to avoid such error.
14. Defendant was advised by this law office on February 24, 2010 that we represented the Plaintiff.
15. Defendant called the Plaintiff at her place of employment on February 25, 2010.
16. Defendant was again advised by this law office February 25, 2010 that we represented the Plaintiff and not to further communicate with the Plaintiff.
17. Defendant called the Plaintiff on February 26, 2010c and attempted to collect a debt.
18. In the collection efforts, the Defendant violated the FDCPA; inter alia, section 1692e, f, and g.

SECOND COUNT

19. The allegations of the First Count are repeated and realleged as if fully set forth herein.

20. Within three years prior to the date of this action Defendant collection agency has engaged in acts and practices as to plaintiff in violation of the Md. Ann. Code Commercial Law Maryland Consumer Debt Collection Act § 14-204 et seq. (“MCDCA”); including failing to obtain a current Collection Agency License.

21. Defendant a licensed collection agency has committed unfair or deceptive acts or practices within the meaning of the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.

WHEREFORE plaintiff respectfully requests this Court to:

1. Award Plaintiff statutory damages pursuant to the Fair Debt Collection Practices Act 15 U.S.C. §1692 et seq.;
2. Award Plaintiff Statutory damages pursuant to Maryland Consumer Debt Collection Act § 14-204 et seq.;
3. Award Plaintiff statutory damages pursuant to the Md. Ann. Code Commercial Law Consumer Practices Act § 13-301 et seq.;
4. Award the Plaintiff costs of suit and a reasonable attorney's fee;

5. Award and such other and further relief as this Court may provide.

THE PLAINTIFF

BY 

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